Inventor(s): Watkins and Huse

Serial No.: 09/203,768 Filed: December 2, 1998

Page 4

REMARKS

Claims 1-6, 47 and 48 are pending in the above-identified application. Claim 5 has been cancelled without prejudice. Applicant reserves the right to pursue this claim in a later filed application claim benefit of priority to the above-identified application. Accordingly, claims 1-4, 6, 47 and 48 are currently under examination.

Claim 5 remains rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement. Applicant continues to maintain that claim 5 satisfies the enablement requirement. Applicant's remarks have been made previously of record and are incorporated by reference herein. However, to further prosecution of this application, claim 5 has been cancelled. Accordingly, this ground of rejection is moot and withdrawal is respectfully requested.

Claims 1-4, 6, 47 and 48 have been indicated to be allowable in the Office Action mailed December 3, 2003. In light of the above amendment, Applicant respectfully requests that these claims proceed to allowance.

CONCLUSION

In light of the Amendments and Remarks herein, Applicant submit that the claims are now in condition for allowance and respectfully request a notice to this effect. Should the Examiner have any questions, he is invited to call the undersigned attorney.

Respectfully submitted,

Date: March 3, 2004

David A. Gay

Registration No. 39,200

Telephone (858) 643-1411

Facsimile (858) 597-1585

McDERMOTT, WILL & EMERY 4370 La Jolla Village Drive, Suite 700 San Diego, California 92122